

## MORRISON TENENBAUM

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September 16, 2021

### **VIA ECF**

The Honorable Valerie E. Caproni  
United States District Court  
Southern District of New York  
40 Foley Square, Room 240  
New York, NY 10007

**Re: SingularDTV GmbH v. Doe; Civil Action No.: 1:21-cv-6000-VEC**

Dear Judge Caproni,

Pursuant to Your Honor's Order dated August 16, 2021 (Doc. No. 7) in the above-referenced matter, Plaintiff is directed to update the Court on the status of Plaintiff's effort to identify the Defendant.

Plaintiff immediately served a Rule 45 subpoena on Google to obtain all documents, records or other information sufficient to identify the account holder for Defendant's e-mail address. On September 9, 2021, Google informed Plaintiff that it is in receipt of the subpoena and indicated that Google will allow Defendant 21 days to object to the production of the requested information (information related to the "arielevyycohen@gmail.com" e-mail account) before Google produces the requested information to Plaintiff. Accordingly, Plaintiff anticipates it will receive the subpoenaed information on or about September 30, 2021.

In addition, Plaintiff immediately submitted a Rule 45 subpoena to Binance Limited Holdings at its principal address, and to its affiliate entities (e.g., Binance U.S.) to obtain all documents, records or other information sufficient to identify the transaction of the SNGLS tokens (as defined in Plaintiff's Motion for Discovery, Doc. No. 6), the SNGLS token holders, and wallet holders who have purchased, sold, transferred or received the SNGLS tokens on, by or through the Binance cryptocurrency trading platform. This information will allow Plaintiff to locate the stolen SNGLS tokens and trace the SNGLS tokens to Defendant – information which will be used to identify the Defendant.

Upon information and belief, Binance Limited Holdings, the controlling entity of the Binance cryptocurrency platform, maintains a principal place of business is located in the Cayman Islands. Plaintiff mailed the subpoena to Binance Limited Holdings at its Cayman Islands address, in addition to serving the subpoena on its affiliate entities, and the Cayman

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Islands entity refused service. Therefore, Plaintiff intends to submit a motion to compel Binance Limited Holdings' compliance with this Court's order and to respond to Plaintiff's subpoena.

Plaintiff is working diligently to identify the Defendant in the above-captioned matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. Tenenbaum', with a stylized flourish at the end.

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